

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

DANIEL F. ERKER,)	CASE NO. 8:08CV237
)	
Plaintiff,)	
)	
v.)	AMENDED ORDER AND
)	FINAL JUDGMENT
AMERICAN COMMUNITY MUTUAL)	
INSURANCE CO.,)	
)	
Defendant.)	

This matter is before the Court on the parties' joint stipulation for dismissal (Filing No. 41). The stipulation complies with the requirements of Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and the Court concludes that it should be approved. Each party will bear its own costs and attorney fees. Accordingly,

IT IS ORDERED:

1. The parties' Joint Stipulation for Dismissal with Prejudice (Filing No. 41) is approved;
2. All claims asserted by Plaintiff Daniel F. Erker against American Community Mutual Insurance Co., are dismissed with prejudice; and
3. Each party will pay its own costs and attorney fees.

DATED this 16th day of December, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge